

SHB 1239 - S COMM AMD

By Committee on Natural Resources, Energy & Water

1 Strike everything after the enacting clause and insert the  
2 following:

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 79.96 RCW  
4 to read as follows:

5 (1) By January 1, 2004, the department and the department of fish  
6 and wildlife shall initiate an agreement to conduct joint research  
7 projects with the geoduck harvesters association, holders of aquatic  
8 farm registrations, and recognized treaty tribes of Washington,  
9 hereinafter referred to as cooperators, for an initial term of ten  
10 years, with the option of an additional term of ten years, to examine  
11 the subtidal geoduck aquaculture industry in the state of Washington.

12 (2) The geoduck aquaculture research project must use scientific  
13 methods to determine sustainability of geoduck aquaculture and assess  
14 potential impacts to the aquatic ecosystem.

15 (3) The department shall lease the use of state-owned aquatic lands  
16 for the geoduck aquaculture research project and shall determine the  
17 location of leases and project design jointly with the cooperators.  
18 Each cooperator leasing land shall provide geoduck clam seed produced  
19 in hatcheries located in Washington state, materials, and labor for  
20 their respective lease. The department will establish lease fees on a  
21 per acre basis, not to exceed one thousand dollars per acre.

22 (a) The department shall designate no fewer than five areas of  
23 aquatic lands owned by the state to lease on which to implement the  
24 geoduck aquaculture research project. The department and cooperators  
25 shall determine the size and location of the areas, which shall  
26 comprise approximately fifty acres, of approximately ten acres each.

27 (b) Identification of areas with density of geoduck clams below the  
28 level that constitutes a natural bed must be made in accordance with  
29 the tribes, pursuant to applicable federal court order. The treaty

1 tribes retain the right, as provided under court order, to inspect  
2 study areas.

3 (4) At the end of the first year of the geoduck aquaculture  
4 research project and each year thereafter, the department shall provide  
5 a progress report on the project to the standing legislative committees  
6 with jurisdiction. The second report and all subsequent reports must  
7 include an assessment of geoduck aquaculture, its impact on the aquatic  
8 ecosystem, and recommendations regarding continuation or expansion of  
9 the research project. Each report must include the perspective of the  
10 association, the geoduck aquaculture industry, and the tribes."

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11 On page 1, line 1 of the title, after "clams;" strike the remainder  
12 of the title and insert "and adding a new section to chapter 79.96  
13 RCW."

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